



Tobacco: Legislative Changes and Recent History

January 29, 2025

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Agenda

- ▶ 2025 Legislative Session
- ▶ Recent Legislative Session Highlights
 - Tobacco tax increase
 - CIAA- vaping
 - Tobacco Retail Modernization Act
 - Pharmacists Prescribing NRT



Bills of Interest (Filed)

- ▶ **SB108** Multifamily Dwellings–Smoking Policies
 - Applies to condos and co-ops (4 or more units); owned or rented
 - Applies to smoking (ALL) and vaping (BR 16.7–101)
 - Requires a policy at least as stringent as CIAA+local
 - Where smoking permitted
 - Where smoking prohibited
 - How complaints made/processed
 - Penalty/fine
 - Does not limit ability to sue*
 - Does not preempt more stringent local law

Bills of Interest (Anticipated)

- ATCC* MOU Change
- ESD Registry
- Equity Fee (administered by OAG)
- Vape wholesalers
- Cigar Bars

*ATCC Monthly Meeting (virtual)

Thursday, February 20th, 3:00 to 4:00 p.m.



Tax Increase Effective July 1, 2024

- ▶ **Cigarettes:** tobacco tax increased from \$3.75 to \$5.00 per pack of 20; for a pack of more than 20, increased from .175 per cigarette to .25 per cigarette
- ▶ **OTP:** tobacco tax increased from 53% to 60% of the wholesale price (excludes pipe tobacco and cigars)
- ▶ **ESDs:** sales and use tax increased from 12% to 20%, including vaping liquid in a container of more than 5ml

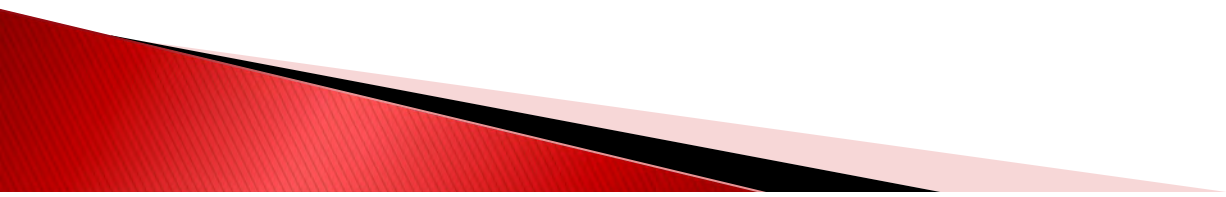


Clean Indoor Air Act Changes Effective October 1, 2024

- ▶ Adds **vaping** to the **CIAA** (in addition to tobacco and cannabis products)
- ▶ Requires signage indicating where and where not to vape
- ▶ Creates a workgroup to study cigar bars and imposes 2-year moratorium on issuing alcoholic beverage licenses to tobacconists



Tobacco Retail Licensing Effective October 1, 2024

- ▶ ID check requirement
 - ▶ Product placement requirements (does not apply to premium cigars or to licensed tobacconists)
 - ▶ MDH or designee must conduct at least 1 enforcement check of each retailer annually
 - ▶ Increases fines for first violation to \$500 under Criminal Law Article
 - ▶ Mandates ATCC suspend for up to 90 days for second violation and up to 180 days for a third violation; and revoke license for subsequent violation.
 - ▶ Raises the retail license fee to \$300
 - ▶ Makes clear that the licensee may be criminally cited (Criminal Law, 10-107) for sale by the clerk
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Pharmacists May Prescribe NRT

- ▶ Pharmacists who meet the requirements of regulations adopted by the State Board of Pharmacy may prescribe and dispense nicotine replacement therapy to people seeking assistance in tobacco cessation/smoking cessation.
- ▶ Law passed in 2022, regulations became effective October 2024.



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